

Interview Record OK
Jm 2-6-06

REMARKS

1. Initially, Applicant wishes to express his thanks to the Examiner for the courtesy and attention extended to Applicant and his counsel at the interview on September 14, 2005. As noted in the Interview Summary, the original claims, claims presented in a draft amendment, and the prior art cited in the Office Action of June 16, 2005, were discussed at some length.

2. One subject addressed at the interview was the meaning of certain terms, e.g., "shoulder", "sidewall", and "tread" used in the Applicant's specification and claims. With this response, Applicant is submitting a Declaration of Marvin F. Bozarth, an expert in the tire industry (Exhibit I), and extracts from a number of web sites (Exhibit II, Items 1-5, pertinent to this subject.

3. The Examiner will note that this amendment substantially reduces the number of pending claims. After this amendment, there are only two pending independent claims, amended original claim 1 and new claim 58; and the only pending dependent claims are amended original claims 3-12 and new dependent claims 57 and 59 through 63. Original claims 2 and 13-56 have been cancelled. New dependent claim 57 is similar to original independent claim 13 but is rewritten in dependent form. New independent claim 58 and dependent claims 59-63 are supported by, e.g., the embodiment of Figure 3.

Terminology

4. As discussed in the Bozarth Declaration, the terms "shoulder", "sidewall", and "tread" have well-understood meanings in the tire industry, and the terms are used in Applicant's specification, and in the references relied upon by the Examiner, in a manner consistent with these meanings. The Michelin tire shown in Exhibit B to the Bozarth Declaration illustrates these terms as commonly used. The "tread" (or "tread area"), "shoulder", and "sidewall" of tires are also labeled (again in a manner consistent with the well-understood meanings") in the drawings of items 1-4 of Exhibit II, and in the drawings of Applicant's specification (tread portion 20, sidewalls 16, 18, shoulders 26, 28).

a. "Tread"

The word "tread" is used in two ways. Usually, it is used to refer to the radially outwardly facing tread surface; in a truck or automobile tire this is the surface formed by the

Claims Rejections – 35 USC § 102

7. In the June Office Action, all pending claims were rejected under 35 U.S.C. § 102(b). Different groups of claims were rejected on the basis of different references, and we will address each rejection separately.

Japan 109 and 833

8. Claims 47, 48, 50 and 51 were rejected under 35 U.S.C. § 102(b) as anticipated by Japan 109 (JP 4-159109), and also as anticipated by Japan 833 (JP 4-71833). These claims have been canceled without prejudice.

Japan 177

9. Claims 1-4, 6, 8, 13-16, 18, 20, 25-27, 29, 31, 36-38, 40, 42, 47-48, 50 and 52 were rejected under 35 U.S.C. § 102(b) as anticipated by Japan 177 (JP 3-246177). Of these, Independent claim 1 and dependent claims 3-4, 6, 8 and 13 remain pending. This rejection should be reconsidered and withdrawn, and all now pending claims should be allowed.

10. In making the rejection, the Examiner said that “Japan 177 discloses a pneumatic tire having a tread, shoulders, sidewalls, bead portions and a friction reducing member at each shoulder”; and that the “friction reducing member” was Teflon sheets (Figure 11) or resin spikes (Figures 13 and 14).

11. As discussed at the interview, Japan 177 (JP 3-246177) discloses a vehicle, apparently for driving on what the reference refers to as “ungroomed terrain,” in which the rear drive is a rubber crawler belt mounted on a plurality of wheel tires. According to the reference, one problem with such crawler drives is friction between the side of the tires and the adjacent sides of the belt causes the tires to ride-up on the side-guides of the belt and separate from the belt. The reference purports to reduce this friction by providing “friction reducing members” between the tires and belt sides. As shown in, for example, Figure 11, Teflon sheets are bonded to the tire sides between what the reference calls the “tire taper face 53 and the garter taper face 54, and these “friction reducing members” reduce friction between the sides of the tires and the sides of the belt and the resulting tendency of the tires to ride up the sides of, and thus come off, the crawler belt.

12. As will be noted, the tires on the front steering wheels of the vehicle of Japan 177 are conventional, and contact the road or ground. The rear drive, however, is quite different. Its tires drive the crawler belt, but they contact only the inside of the belt and do not contact the

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